

AMENDMENTS TO THE CLAIMS

Listing of Claims:

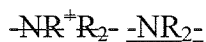
The following listing of claims replaces all prior versions, and listings, of claims in the application:

Claim 1 (currently amended): A formulation comprising:

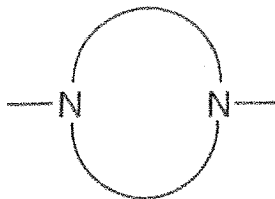
- a) at least one nitrogen-free polysiloxane compound having a viscosity of 10,000 to 10,000,000 mPa.S at 25 °C,
- b) at least one polyamino-polysiloxane and/or polyammonium-polysiloxane compound b1) which is selected from polysiloxane compounds which contain at least one unit of the formula (I):

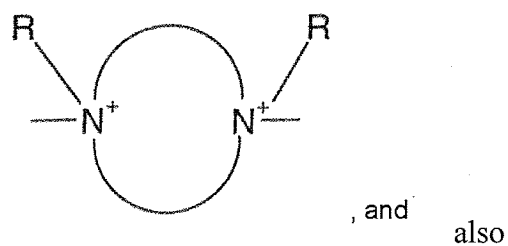
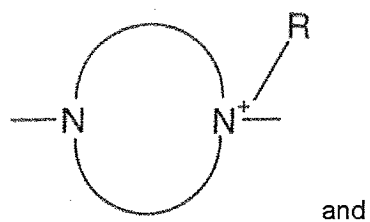


in which Q is selected from the group consisting of:

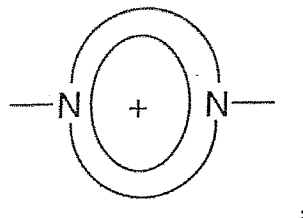


a saturated or unsaturated diamino-functional heterocycle of the formulae:

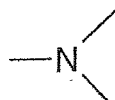




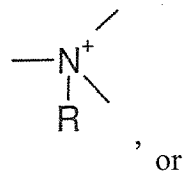
an aromatic diamino-functional heterocycle of the formula:



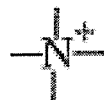
a trivalent radical of the formula:



a trivalent radical of the formula



a tetravalent radical of the formula



in which R in each case is hydrogen or a monovalent organic radical,

where Q is not bonded to a carbonyl carbon atom,

V is at least one constituent which is selected from the group consisting of V^1 , V^2 and V^3 , where

V^2 is selected from divalent or trivalent, straight-chain, cyclic or branched, saturated, unsaturated or aromatic hydrocarbon radicals having up to 1000 carbon atoms (not counting the carbon atoms of the polysiloxane radical Z^2 defined below) and may optionally contain one or more groups selected from

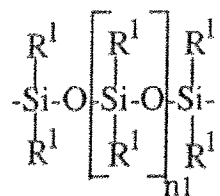
-O-, -CONH-,

-CONR²-, in which R² is hydrogen, a monovalent, straight-chain, cyclic or branched, saturated, unsaturated or aromatic hydrocarbon radical having up to 100 carbon atoms, may contain one or more groups selected from -O-, -NH-, -C(O)- and -C(S)-, and may optionally be substituted by one or more substituents selected from the group consisting of a hydroxyl group, an optionally substituted heterocyclic group preferably containing one or more nitrogen atoms, amino, alkylamino, dialkylamino, ammonium, polyether radicals and polyether ester radicals, where, when a plurality of -CONR²- groups is present, they may be the same or different,

-C(O)- and -C(S)-, and

the radical V^2 may optionally be substituted by one or more hydroxyl groups, and

the radical V^2 contains at least one group $-Z^2-$ of the formula



in which

R^1 may be the same or different and is selected from the group consisting of: C_1 to C_{22} alkyl, fluoro(C_1 - C_{10})alkyl and C_6 - C_{10} aryl, and

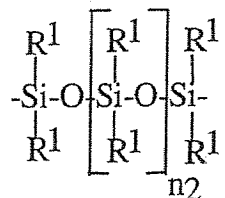
$n_1 = 20$ to 1000 ,

V^1 is selected from divalent, straight-chain, cyclic or branched, saturated, unsaturated or aromatic hydrocarbon radicals which have up to 1000 carbon atoms and may optionally contain one or more groups selected from

$-O-$, $-CONH-$,

$-CONR^2-$, in which R^2 is as defined above, where the R^2 groups in the V^1 and V^2 groups may be the same or different,

$-C(O)-$, $-C(S)-$ and $-Z^1-$, where $-Z^1-$ is a group of the formula

 $n_2 = 0 \text{ to } 19.$

(i) that said polysiloxane compound contains a plurality of V^2 groups, and
~~that said polysiloxane compound contains at least one V^1 , V^2 or V^3 group~~
~~which contains at least one Z^1 , Z^2 or Z^3 group, and~~

- (ii) that the tri- and tetravalent Q radicals either serve to branch the main chain formed from Q and V, so that the valencies which do not serve for bonding in the main chain bear further branches formed from -[Q-V]- units, or the tri- and tetravalent Q radicals are saturated with V³ radicals within a linear main chain without formation of a branch, and wherein the positive charges resulting from ammonium groups are neutralized by organic or inorganic acid anions, and acid addition salts thereof, and optionally at least one amino-polysiloxane and/or ammonium-polysiloxane compound b2),
- c) ~~optionally~~ one or more silicone-free surfactants selected from the group consisting of nonpolymerized organic quaternary ammonium compounds,
- d) optionally one or more coacervate phase formation agents, and
- e) optionally one or more carrier substances selected from the group consisting of solid carrier substances f), liquid carrier substances g), and combinations thereof.

Claim 2 (original): The formulation as claimed in claim 1, characterized in that it contains, based on the total amount of components a) and b),

from 5 to 99% by weight of component a) and

from 1 to 95% by weight of component b).

Claim 3 (cancel)

Claim 4 (previously presented): The formulation as claimed in claim 1, characterized in that it contains, based on 100 parts by weight of components a) and b), from 0 to 1500 parts by weight of components c), d) and e).

Claim 5 (previously presented): The formulation as claimed in claim 1, characterized in that it contains, based on 100 parts by weight of components a) and b), from 0 to 70 parts by weight of component c).

Claim 6 (previously presented): The formulation as claimed in claim 1, characterized in that it contains, based on 100 parts by weight of components a) and b), from 0 to 10 parts by weight of component d).

Claim 7 (previously presented): The formulation as claimed in claim 1, characterized in that it contains, based on 100 parts by weight of components a) and b), from 0 to 710 parts by weight of component f).

Claim 8 (previously presented): The formulation as claimed in claim 1, characterized in that it contains, based on 100 parts by weight of components a) and b), from 0 to 710 parts by weight of component g).

Claim 9 (previously presented): The formulation as claimed in claim 1, characterized in that component a) is at least one constituent which is selected from the group consisting of: straight-chain, cyclic, branched and partially crosslinked polyorganosiloxanes.

Claim 10 (previously presented): The formulation as claimed in claim 1, characterized in that the amino- and/or ammonium-polysiloxane compound b2) is a polysiloxane compound which contains amino and/or ammonium groups in the pendent groups of a polyorganosiloxane main chain.

Claim 11 (cancel)

Claim 12 (previously presented): The formulation as claimed in claim 1, characterized in that the coacervate phase formation agent as component d) comprises at least one constituent which is selected from cationic, silicone-free polymer compounds.

Claim 13 (currently amended): The formulation as claimed in claim 3 1, characterized in that a solid carrier substance f) is present, and in that the solid carrier substance f) is at least one constituent which is selected from the group of the water-soluble compounds which have a

solubility in water of at least 100 grams/liter at 20°C.

Claim 14 (currently amended): The formulation as claimed in claim 3 1, characterized in that a liquid carrier substance g) is present, and in that the liquid carrier substance g) is at least one constituent which is selected from the group consisting of water and water-miscible organic solvents.

Claim 15 (previously presented): The formulation as claimed in claim 1, characterized in that it is solid or liquid at 40°C.

Claim 16 (previously presented): A process for preparing the formulation as claimed in claim 1, which comprises the steps of:

- a) mixing components a) and b) to give a homogeneous premixture, and
- b) optionally introducing components c), d) and/or e).

Claim 17 (currently amended): ~~The use of~~ A method of applying a cosmetic comprising applying the formulation as claimed in claim 1 in cosmetic formulations, in laundry detergents or for the surface treatment of substrates.

Claim 18 (currently amended): ~~The use of~~ A method of treating fibers or finishing fibers comprising applying the formulation as claimed in claim 1 for fiber treatment or fiber finishing to fibers.

Claim 19 (currently amended): ~~The use of~~ A method of treating textiles, fiberlike materials, or paper, comprising applying the formulation as claimed in claim 1 as a formulation for the treatment of to textiles, fiberlike, or materials including paper.

Claim 20 (currently amended): ~~The use of~~ A method of softening a textile comprising applying the formulation as claimed in claim 1 as a softener to a textile.

Appl. No. 11/533,746
Amendment Dated: 7 January 2009
Reply to Office Action of: 7 October 2008

Claim 21 (canceled)

Claim 22 (new): A method of cleaning laundry comprising applying to laundry the formulation as claimed in claim 1.

Claim 23 (new): A method of surface treating a substrate comprising applying to a substrate the formulation as claimed in claim 1.